

Application No.: 10/619,668
Response dated: November 7, 2006
Reply to Office action dated: August 9, 2006

REMARKS

In response to the Office Action dated August 9, 2006, Applicants respectfully request reconsideration based on the above claim amendments and the following remarks. Applicants respectfully submit that the claims as presented are in condition for allowance.

Claims 1-7, 9, 11, 12 and 20-29 are pending in the present Application. Claims 20 and 21 are amended, leaving Claims 1-7, 9, 11, 12 and 20-29 for consideration upon entry of the present amendments and following remarks.

Support for the amendment to Claims 20 and 21 are at least found in the specification, the figures, and the claims as originally filed. More particularly, support for amended Claim 20 is at least found in Claims 1 and 21 and Figures 9, 16 and 23. Claim 21 is amended to better set forth the invention.

No new matter has been introduced by these amendments. Reconsideration and allowance of the claims are respectfully requested in view of the above amendments and the following remarks.

Specification

In the Office action, the title of the invention is objected to as not being descriptive and a new title is required that is clearly indicative of the invention to which the claims are directed. In response, Applicants hereinabove amend the title of the invention and respectfully submit that the amended title is clearly indicative of the invention to which the claims are directed. Consideration, entry of the amended title of the invention and withdrawal of the relevant objection are respectfully requested.

Claim Rejections Under 35 U.S.C. §102

Claims 20-29 are rejected under 35 U.S.C. §102(b) as being anticipated by Kong et al., U.S. Patent Publication No. 2002/0053701 (hereinafter “Kong”). Applicants respectfully traverse these rejections.

“A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” *Verdegaal Bros. V. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

Amended Claim 20 recites *inter alia*,

“a semiconductor layer on the gate insulating layer; and
a data conductive layer formed at least in part on the semiconductor layer and including a data line and a drain electrode separated from each other, the data conductive layer includes a lower film and an upper film;
wherein at least one portion of the semiconductor layer is formed along with the data line,
an edge of the upper film lies on the lower film such that the lower film includes a portion exposed out of the upper film of the drain electrode and the pixel electrode contacts the exposed portion of the lower film.”

Kong discloses data wiring is formed over the gate insulation layer 30 and includes data lines 62, source electrodes 65 branched from the data lines 62, drain electrodes 66 and data pads 68 connected to one end of the data lines 62. (Paragraph 0057 and Figures 2 and 3.)

In the Office action at Page 3 regarding Claim 20, it is alleged that the semiconductor 40 is formed along with the data line and that a boundary of the semiconductor 40 is exposed out of the date line except for places near the drain electrode 66 and an end portion of the data line 62. Applicants respectfully disagree.

Applicants find no disclosure of any part of the semiconductor layer 40 being formed along with the data line 62. Regarding the forming of the semiconductor layer 40, Kong merely discloses that a semiconductor layer 40 is formed over the gate insulating layer 30 at areas corresponding to and in the vicinity of the gate electrodes 26. (Paragraph 0056 and Figures 2 and 3.) Kong also discloses that the pad auxiliary layer 45 may be made on the same layer as the semiconductor layer 40 (See, last sentence of Paragraph 0057) which again, does not disclose any part of the semiconductor being formed along with the data line. Therefore, Kong does not disclose at least one portion of the semiconductor layer is formed along with the data line of Claim 20.

Additionally, Kong does not disclose that the data conductive layer includes an edge of the upper film lying on the lower film such that the lower film includes a portion exposed out of the upper film of the drain electrode and the pixel electrode contacts the exposed portion of the lower film of amended Claim 20. To the contrary, Kong illustrates the pixel electrode 82 via

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contact hole 76 contacting the drain electrode 66 on an upper surface of a single layered drain electrode 66.

Regarding Claim 29, Kong does not disclose “a portion of the drain electrode contacting the pixel electrode has unevenness” as claimed. To the contrary, in Fig. 3, the portion of the drain electrode 66 contacting the pixel electrode 82 is substantially even and planar. Kong discloses no “unevenness” of the contacting surface of the drain electrode contacting the pixel electrode 82. Therefore, Kong also does not disclose a portion of the drain electrode contacting the pixel electrode has unevenness of Claim 29.

Thus, Kong fails to disclose all of the limitations of at least Claims 20 and 29. Accordingly, Kong does not anticipate Claims 20 and 29. Applicant respectfully submits that Claims 20 and 29 are not further rejected or objected and are therefore allowable. Claims 21-28 variously depend from Claim 20 and are correspondingly allowable. Reconsideration and allowance of Claims 20-29 are respectfully requested.

Allowable Subject Matter

Applicants gratefully acknowledge the Examiner’s indicating that Claims 1-7, 9, 11 and 12 are allowed.

Conclusion

All of the objections and rejections are herein overcome. In view of the foregoing, it is respectfully submitted that the instant application is in condition for allowance. No new matter is added by way of the present Amendments and Remarks, as support is found throughout the original filed specification, claims and drawings. Prompt issuance of Notice of Allowance is respectfully requested.

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The Examiner is invited to contact Applicants' attorney at the below listed phone number regarding this response or otherwise concerning the present application.

Applicants hereby petition for any necessary extension of time required under 37 C.F.R. 1.136(a) or 1.136(b) which may be required for entry and consideration of the present Reply.

If there are any charges due with respect to this Amendment or otherwise, please charge them to Deposit Account No. 06-1130 maintained by Applicants' attorneys.

Respectfully submitted,

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